

CONSTITUTION

—: AND:—

BY-LAWS

—: OF THE:—

Chamber of Commerce,

—: OF:—

VICTORIA,

VANCOUVER ISLAND.

Second Edition, 1872.

VICTORIA, B. C.

PRINTED AT THE "VICTORIA DAILY STANDARD"
1872.

CONSTITUTION

— OF THE —

BY LAWS

— OF THE —

LEGISLATURE OF THE STATE OF NEW YORK

IN SENATE

JANUARY 1860

ALBANY

W. H. BROWN

PRINTED BY W. H. BROWN

ALBANY, N. Y.

1860

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Chamber of Commerce.

OFFICERS FOR 1872-73.

- 0 HENRY RHODES, Esq., PRESIDENT
0 T. L. STALSCHMIDT, Esq., VICE-PRESIDENT
R. PLUMMER, Esq., SECRETARY & TREASURER

COMMITTEE OF ARBITRATION.

- G. J. FINDLAY, Esq.
M. T. JOHNSON, Esq.
P. McQUADE, Esq.
• G. SUTRO, Esq.
• F. J. ROSCOE, Esq.
A. J. LANGLEY, Esq.

MEMORANDUM OF ASSOCIATION.

The subscribers hereunto, have, this ninth day of February, 1863, associated themselves together for the better regulation of trade, and the furtherance of commercial interests.

The name and style of the Association shall be the Chamber of Commerce of Victoria, Vancouver Island, and the affairs of the Association shall be carried on in the town of Victoria.

PRESIDENT
PRESIDENT
TREASURER

Robert Burnaby, 0	Albert H. Guild, 0
✓ James Lowe, 0	Francis Tarbell, 0
W. C. Siffken, 0	L. L'Hotelier, 0
J. L. Gumbinner, 0	J. Rueff, 0
✓ Thomas Harris, 0	D. A. Edgar, Jr. 0
✓ J. Nagle, 0	E. Sutro, 0
J. G. Shepherd, 0	A. Casamayou, 0
J. A. McCrea, 0	H. F. Heisterman, ✓
Selim Franklin, 0	G. S. Gladwin, 0
Jules David, 0	Arthur Fellows, 0
Nathan Koshland, 0	F. J. Roscoe, 0
P. M. Backus, 0	R. F. Pickett, 0
✓ Alfred Thomas Elliott, 0	John Malowanski, 0
A. F. Main, 0	G. C. Webster, 0
T. Kriemler, 0	Lumley Franklin, 0
G. Vignolo, 0	John J. Cochrane, 0
James Duncan, 0	J. W. Pitts, 0
Henry Nathan, Jr. 0	James Carswell, 0
H. D. Munro, 0	Aime Guilloteau, 0
Henry Rhodes, 0	Edward Green, 0
Jacob Greenbaum, 0	Sam'l Goldstone, 0
E. Grancini, 0	Chas. W. Wallace, Jr. ✓

CHAMBER OF COMMERCE.

List of Members at Re-organization, Sept. 10th, 1872.

Henry Rhodes,
T. L. Stalschmidt,
W. C. Ward,
E. Grancini,
Jas. Lowe,
D. Leneveu,
J. Boscowitz,
W. C. Siffken,
H. F. Heisterman,
J. Rueff,
R. Burnaby,
E. Sutro,
M. T. Johnson,
E. Marvin,
J. Fell,
D. W. Higgins,
J. Kriemler,
J. P. Davies,
A. Fellows,
G. J. Findlay,
Henry Nathan, Jr.
J. H. Turner,
J. H. Brodie,
C. T. Millard.
F. Garesche,

T. H. Tye,
F. J. Roscoe,
A. J. Langley,
R. Plummer,
F. Pagden,
A. Keast,
Richard Carr,
P. McQuade,
R. P. Rithet,
Wm. Wilson,
Robt. Beaven,
C. Strouss,
J. Goodfellow,
J. B. Mayerneau,
J. Spratt,
M. W. T. Drake,
H. Nelson,
Robert Wallace,
J. J. Southgate,
Wm. Denny,
John Switzer,
Henry Greenbaum,
James Hutchinson,
Julius Engelhardt,
Sydney Pitts.

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CONSTITUTION.

I.—OF OFFICERS.

The Officers of the Association shall consist of a President, a Vice-President, a Treasurer and Secretary, who shall be elected by ballot at the annual meeting, and hold their offices for one year, and until others shall be elected to fill their places. One person may hold the offices of Treasurer and Secretary.

II.—OF THE DUTY OF THE PRESIDENT.

It shall be the duty of the President to preside at all meetings of the Association, to call special meetings whenever occasion may arise therefore, and to approve all accounts previous to their payment by the Treasurer. In addition to his vote as a member he shall have the cast-vote.

III.—OF THE DUTY OF THE VICE-PRESIDENT.

The Vice-President shall, in the absence of the President, discharge the duties of the President.

IV.—OF THE DUTY OF THE TREASURER.

The Treasurer shall receive all dues and arbitration fees, and take charge of all funds of the Association, and pay out the same as directed

by its order, with the sanction of the President; keep fair and regular accounts, subject at all times to investigation by the President, and by any Committee appointed by the Chamber; report at each monthly meeting the state of the Treasury, and collect all dues from Members. At each annual meeting he shall render an account of all receipts and disbursements for the preceding year. All sums received by him amounting to fifty dollars, and upwards, shall be paid into a Bank to the credit of the Association, and drawn therefrom by cheque countersigned by the President.

V.—OF THE DUTY OF THE SECRETARY.

The Secretary shall keep a fair record of all the proceedings of the Association, present at its meetings any communications which may be made to him in his official capacity, give proper notice of all meetings of the Association and perform such other duties as may be incumbent upon the office.

The Secretary must be a member of the Chamber of Commerce.

VI.—ON COMMITTEE OF ARBITRATION.

There shall be elected by ballot, at each annual meeting of the Association, six members who shall constitute a Committee of Arbitration for the purpose of deciding upon all disputed accounts or other matters which may be submitted to their arbitration. Four members shall constitute a quorum of said Committee. The member of the Committee acting as Chairman to have a casting vote in addition to his own vote.

The contending parties shall first enter into bonds for an amount proportionate to the sum to be arbitrated upon, to abide by the decision of the Committee. Said bonds to be approved by the Committee of Arbitration.

In all cases in which the Committee are not unanimous in their decision, either party in dispute may appeal from the decision of the Committee of Arbitration to the Committee of Appeal for the time being, provided that such appeal shall be made by written notice to the Secretary within three days after the decision shall have been made. The Committee of Appeal shall be appointed by the Committee of Arbitration, and shall consist of three members of the Chamber of Commerce. They shall be appointed before the hearing of the case brought before the Committee of Arbitration, and shall only serve on said case.

No member shall act in any case in which he may be interested, directly or indirectly, but his place, if necessary, shall be supplied by a member of the Association, who shall be chosen by ballot by the Committee of Arbitration.

In case of appeal from the decision of the Committee of Arbitration, there shall be collected by the Secretary from the party appealing, before such appeal can be heard, a fee of ten dollars, for the benefit of the Treasury of the Association.

VII.—OF MEETINGS.

The regular meetings of this Association shall be held on the first Tuesday of each month. If that day be steamer day, the meeting shall be held on the Tuesday following. The place of

meeting shall be designated by the President, unless previously provided by the Association. The regular meeting in September of each year shall be the annual meeting.

Special meetings may be held at any time on the call of the President. The President shall call a meeting whenever requested to do so, in writing, by five members. In the absence of the President and Vice-President, any five members may call a meeting, and in the absence from any meeting of the officers, a President pro. tem. shall be elected. Seven members shall form a quorum for the transaction of business.

VIII.—OF VACANCIES.

All vacancies which may occur in the offices, or in the Committee of Arbitration, may be filled at the regular meeting.

If any officer of the Association shall be absent from Victoria for more than two months, consecutively, his office may be declared vacant, and an election held to fill the vacancy for the remainder of the term.

IX.—OF ADMISSION OF MEMBERS.

Any person desiring to become a Member, may signify his wish through one of the Members, who may nominate him at any regular meeting. Aballot shall then take place, and the candidate declared to be admitted, unless three negatives shall appear against him, in which case he cannot be admitted, nor be again proposed, until a period of twelve months

CONSTITUTION.

9

President,
Association.
of each year

shall have elapsed after such rejection. No one shall be considered a Member until he shall have signed the rules.

X.—OF DUTIES OF MEMBERS.

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Every Member of this Association shall pay to the Treasurer an annual subscription of five dollars (\$5) in advance. Such subscription to be due at the annual meeting in September. Members admitted at any period of the year to pay the full annual subscription.

XI.—OF RESIGNATIONS.

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Any Member may resign by addressing a letter to the Secretary to that effect, which shall be accepted by the Chamber, provided all dues by said Member have been paid.

XII.—OF EXPULSION.

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Any motion for the expulsion of a Member shall be made at a regular meeting, and lie over until the next regular meeting, at which time the question shall be put, and if two-thirds of the Members present shall vote for said expulsion, the individual named in the motion shall be expelled.

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XIII.—OF FEES OF ARBITRATION.

Members shall not be called upon for the payment of any fees of arbitration, excepting that the Secretary shall be entitled to five dollars for his services in notifying and attending the Committee, and a further sum of five dollars for each copy of the award he may have to furnish.

The fees in cases when neither party is a member, shall be (in addition to the Secretary's fees aforesaid,) $2\frac{1}{2}$ per cent. on the amount of the award; provided, however, that the fees in no case shall amount to more than fifty dollars, (\$50), nor less than ten dollars, (\$10.) All fees of Arbitration shall be paid to the Treasurer for the use of the Association.

A statement of the points in dispute, and a report of the award, shall be made by the Secretary to the Association at the next regular meeting after the same shall have been decided.

XIV.—AMENDMENTS.

The Constitution may be amended, altered or repealed, provided that a notice of such alteration, amendment or repeal shall have been given at a regular meeting next preceeding its adoption, and provided also that it receives the sanction of the vote of two-thirds of the members present.

BY-LAWS.

I.—The stated meetings of this Chamber shall be half-past 2 o'clock, p. m.

II.—The order or business at stated meetings shall be as follows, viz :

Reading of Minutes of last Meeting.

Presentation of Communications.

Elections to fill Vacancies.

Nomination of Candidates for Membership.

Ballot for Candidates for Membership.

Reports of Officers.

Reports of Committees.

Unfinished Business.

Miscellaneous Business.

At the regular meeting in August, immediately after the reading of the minutes, a Committee of three shall be appointed by the Chair, to audit the accounts of the Treasury, before their presentation at the annual meeting.

At the annual meeting the first business in order, after the reading of the minutes, shall be the reports of the officers, after which the election of officers shall take place.

III.—Members of the Committee of Arbitration, who shall be absent from the meetings of the same, shall forfeit and pay to the use of this Chamber, two and a half dollars for each

default, unless a satisfactory excuse shall have been previously made to the Chairman.

IV.—At a meeting of the Chamber, the Secretary shall enter the names of the Members present upon the minutes.

V.—A quorum being present, the presiding officer shall take the Chair, and on a call to order, the Members shall take their seats and proceed to business.

VI.—Every Member who speaks shall rise and address the Chair. No person shall speak twice on the same subject, unless by permission or by way of explanation.

VII.—All motions, except those for previous question, postponement or adjournment, shall be made in writing; and no debate shall be permitted, except on a motion regularly made, seconded, and stated from the Chair. A Member, however, shall not be prevented from prefacing any proposition he may be about to make.

VIII.—Every motion, made in writing, shall be read by the mover in his place, previous to offering it to the Chair.

IX.—The President shall be the judge of all questions of order, and may call the transgressing Members to order, as often as they shall infringe the Rules of the Chamber; but any Member so called to order may explain himself, and may appeal to the Chamber; if seconded in such appeal the Members shall divide.

X.—No business before the Chamber shall be interrupted, except by motion for previous question, postponement or adjournment, and such motion shall preclude amendment or decision of the original subject, until such motion shall be disposed of.

XI.—A Member may call for the division of a question when the sense will admit of it.

XII.—The vote on any question shall be taken according to the rules of the House of Commons.

XIII.—It shall be competent for any Member to call for the ayes and nays on any question.

XIV.—None of the foregoing By-Laws shall be recinded or altered, nor any new ones made, unless after regular notice given at a previous stated meeting of such proposed abrogation, alteration, amendment or addition.

SCHEDULE I.

**Rates of Commission to be charged when
no Express Agreement to the contrary
exists.**

COMMISSIONS.

On purchase of Stocks, Bonds, and all kinds of securities, including the drawing of bills for payment of same	2½ per cent.	
On sale of Stocks, bonds, and all kinds of securities, including remittances in bills and guarantee	2½	"
On purchase and sale of Specie, Gold dust and Bullion	1	"
On sale of Bills of Exchange, with endorsement.....	3½	"
On sale of Bills of Exchange, without endorsement.....	1	"
For endorsing Bills of Exchange when desired.....	2½	"
On sale of Produce, &c., from California, Oregon, Washington Territory, and Sandwich Island ports, with guarantee	7½	"
On sale of Merchandise from other ports, with guarantee.....	10	"
On goods received on consignment and afterwards withdrawn.....	3½	"
On purchase and shipment of merchandise with funds on hand,—on cost and charges.....	5	"
On purchase and shipment of merchandise without funds,—on costs and charges.....	7½	"
For collecting and remitting delayed or litigated accounts	10	"
For collecting freight by vessels from foreign ports, on amount collected.....	5	"
For collecting General Claims.....	5	"
For collecting General Average,—or the first \$20,000, or any smaller amount.....	7½	"

N. B.—The Receipt of Bills of Lading equivalent to receipt of the Goods.

For collecting General Average,—on any excess over \$20,000.....	2½	"
On purchase or sale of vessels.....	2½	"
For entering, clearing, and transacting ship's business, and vessels with cargo or passengers from foreign ports.....		
On vessels under 200 tons register.....	\$ 50 00	
On vessels of 200 to 300 tons register.....	\$100 00	
On vessels of 300 to 500 tons register.....	\$150 00	
On vessels over 500 tons register.....	\$200 00	
For disbursements of vessels by Consignees, with funds on hand.....	2½ per cent.	
For do. without do.....	5	"
For procuring freight or passengers.....	5	"
For chartering vessels, on amount of freight, actual or estimated, to be considered as due when the charter parties or a memorandum of their conditions, &c., are signed.....	5	"
On giving bonds for vessels under attachment in litigated cases,—on amount of liability.....	2½	"
For landing and reshipping goods from vessels in distress, on invoice value, or in its absence, on market value.....	5	"
For receiving and forwarding goods,—on invoice amount.....	2½	"
For advancing freight.....	5	"
For effecting Marine Insurance,—on amount insured.....	½	"
The foregoing commissions to be exclusive of Brokerage and every charge actually incurred.		
Vessels to pay clerk hire and the labor on wharf, sorting and delivering cargo.		

SCHEDULE II.

Rates of Storage on Merchandise.

STORAGE, PER MONTH.

On measurement goods 50 cents per ton of forty cubic feet.	
On heavy goods 50 cents per ton of 2000 lbs.	
Or in either case the amount actually paid.	
The Consignee to have the option of charging by weight or measurement.	
A fraction of a month to be charged as a month.	

REGULATIONS.

CONCERNING DELIVERY OF MERCHANDISE, PAYMENT OF FREIGHT, ETC.

When no express stipulation exists per Bill of Lading, goods are to be considered as deliverable on shore.

Freight on all goods to be paid, or secured to the satisfaction of the captain or consignee of the vessel prior to the delivery of the goods.

After delivery to the purchaser of goods sold, no claims for damage, deficiency, or other cause, shall be admissible after goods sold and delivered have once left the city.

When Foreign Bills of Lading expressly stipulate that the freight shall be paid in a specific coin, then the same must be procured if required, or its equivalent given,—the rate to be determined by the current value at the time at the Banks.

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